

**WEST VALLEY CITY, UTAH**

**ORDINANCE NO. 09-03**

Draft Date: 12/23/2008

Date Adopted: 01/13/2009

Date Effective: 01/26/2009

**AN ORDINANCE AMENDING SECTION 16-11-102 OF THE  
WEST VALLEY CITY MUNICIPAL CODE IN ORDER TO  
ADOPT APPENDIX K OF THE 2006 INTERNATIONAL  
RESIDENTIAL CODE REGARDING SOUND TRANSMISSION  
STANDARDS.**

**WHEREAS**, there is a need to establish sound transmission limits between duplexes, townhomes and condominiums regulated by the International Residential Code; and

**WHEREAS**, there are currently no sound transmission standard in the body of the International Residential Code as adopted by the State of Utah for such purposes; and

**WHEREAS**, the sound transmission standards are provided in Appendix K of the 2006 International Residential Code; and

**WHEREAS**, the State will allow local municipalities to adopt appendix chapters as needed; and

**WHEREAS**, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to amend Section 16-11-102 of the West Valley City Municipal Code in order to adopt Appendix K of the 2006 International Residential Code; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of West Valley City, Utah, as follows:

**Section 1. Repealer.** Any provision of the West Valley City Municipal Code found to be in conflict with this Ordinance is hereby repealed.

**Section 2. Amendment.** Section 16-11-102 is hereby amended to read as follows:

**16-11-102. AMENDMENTS TO INTERNATIONAL RESIDENTIAL CODE.**

The International Residential Code is amended as follows:

(1) Section R102.7 is amended to read as follows (bold text indicates amendment to the current text of the International Residential Code in this paragraph):

**R102.7 Existing Structures:** The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as specifically covered in this Code, the International Property Maintenance Code, the Uniform Housing Code, the Uniform Code for Abatement of Dangerous Buildings, the West Valley City Fit Premise Ordinance, and the International Fire Code, or

as is deemed necessary by the building official or the fire chief for the general safety and welfare of the occupants and the public.

(2) Pursuant to R108.5 of the International Residential Code, West Valley City's policy for refunds of permit fees is as follows:

(a) The Chief Building Official may authorize refunding of any fee hereunder which was erroneously paid or collected.

(b) The Chief Building Official may authorize refunding of not more than 80% of the plan review fee paid when an application for a permit, for which a plan review fee has been paid, is withdrawn or canceled before any plan reviewing is done.

(c) The chief building official shall not authorize refunding of any fee paid except upon receipt of a written application filed by the original permittee not later than 180 days after the date of fee payment.

(3) Wall and floor ceiling assemblies separating adjacent dwelling units within duplexes, townhomes, and condominium units must comply with Appendix K of the 2006 International Residential Code for sound transmission.

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall take effect immediately upon posting in the manner required by law.

**PASSED and APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

WEST VALLEY CITY

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER